

REMARKS

The applicants have carefully reviewed the official action mailed on September 15, 2008, and the references cited therein. In the official action, the examiner rejected claims 1-5 and 9-13 as anticipated by Meyer et al. (US 2001/0031066), claims 6 and 14 as unpatentable over Meyer et al. in view of Cho et al. (US 2002/0197063), and claims 7 and 8 as unpatentable over Meyer et al. in view of Cho et al. and Coulombe et al. (US 2003/0055949). The present official action failed to examine claims 15-112, which were pending at the time of filing the present application.

By way of the foregoing amendments, claims 1, 3, 4, 5, 7, 8, 10, 18-22, 24, 26-28, 30, 33, 37, 38, 42-47, 50, 52-54, 56, 57, 59, 64, 65, 67-71, 73, 75-77, 82, 86-95, 98, 100-102, 104, 105 and 107 have been amended and claims 16, 23, 48, 49, 72, 97 and 112 have been canceled without prejudice, leaving claims 1-15, 17-22, 24-48, 50-96 and 98-111 pending and at issue in this application. No new matter has been added. The applicants respectfully request reconsideration of this application in view of the foregoing amendments and the following remarks. Further, the applicants respectfully request that the next official action be non-final to afford the applicants a fair opportunity to consider the examiner's position with respect to the subject matter of the claims that were not examined in the present official action.

Turning to the art-based rejections, independent claim 1 recites, in part, a method for transcoding a media signal conveyed via a home network involving extracting metadata from the media signal to form extracted metadata, determining via the home network a capability of a media metering device associated with a second media consumption device communicatively coupled to the home network, wherein the media

metering device is to collect audience measurement data associated with the second media consumption device, determining a second media format based on the capability of the media metering device, and converting the extracted metadata from a first media format associated with a first media consumption device communicatively coupled to the home network to the second media format associated with the media metering device to form converted media information. Meyer et al. fail to describe transcoding a media signal by determining a capability of a media monitoring device via a home network, determining a second media format based on the capability of the media metering device, and converting metadata extracted from the media signal to the second media format, as recited in claim 1.

While Meyer et al. do generally describe transcoding media information, the transcoding operations described by Meyer et al. involve converting media information from a packaged format (e.g., a CD or DVD) to a format compatible with, for example, a media player on a personal computer (e.g., an MP3 format). However, in contrast to the method recited in claim 1, the transcoding operations described by Meyer et al. are not based on a capability of a media monitoring device detected via a home network. Rather, the conventional transcoding operations described by Meyer et al. are performed using a predetermined source and target format because the format of the media being transcoded is known *a priori*, as is the format to which the media information is to be converted. Nothing described by Meyer et al. constitutes a description of a system that determines a capability of a device via a home network, much less a media monitoring device, and which uses that detected capability to determine a media format for use in converting metadata extracted from a media signal.

The remaining cited art fails to overcome the above-noted deficiencies of Meyer et al. Thus, no combination of the cited art describes or suggests the recitations of claim 1. Accordingly, claim 1 and all claims dependent thereon are believed to be in condition for allowance.

The remaining claims are also believed to be in condition for allowance for at least the reasons set forth above in connection with claim 1.

Thus, the applicants respectfully submit that all pending claims are in condition for allowance. If there are any remaining issues in this application, the applicants urge the examiner to contact the undersigned attorney at the number listed below.

No fee is believed to be due. However, in the event that any fee is deemed due for filing this paper, the Commissioner is authorized to charge such fee to deposit account number 50-2455.

Respectfully submitted,
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